

**THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE D. APPA RAO**

Taken up Writ Petition No.5205 of 2007

Date: 26-03-2007

Between:

Chavata Emalamma, W/o. Bhemaiah,
Jawaharnagar, Chirala,
Prakasam District.

... Petitioner/s

And

The Railway Sub-Inspector,
Chirala,
Prakasam District and another.

... Respondent/s

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ORAL ORDER: (per the Hon'ble Sri Justice D. Appa Rao)

Heard the learned Assistant Government Pleader, representing the learned Advocate General, appearing for the respondents.

2. This writ petition is taken up on the basis of a telegram, dated 28-02-2007, sent by one Chavata Emamma, resident of Chirala, Prakasam District, alleging that her sister's son and daughters viz., Itta Shiva, Itta Krishnaveni and Chinapothula Tirupathi were illegally taken away by the Railway Sub-Inspector along with his staff on 26-02-2007 and that she apprehends danger to their lives.

3. The Sub-Inspector of Police, Government Railway Police Station, Chirala, Prakasam District, filed a counter affidavit stating that the alleged detenus were accused in Crime No.139 of 2006 and Crime No.162 of 2006, registered for the offence punishable under Section 379 of Indian Penal Code on the file of Government Railway Police Station, Nellore. It is also stated that the alleged detenus were arrested by the Government Railway Police, Nellore, on 28-02-2007 and produced before the Special Judicial Magistrate of First Class, Railways, Nellore, on 01-03-2007, who intum, remanded them to judicial custody. Subsequent to the said order, the detenus were initially lodged at Central Prison, Nellore and later they were released on bail and now they are moving freely.

4. Under the above circumstances, since the alleged detenus were arrested in connection with the above said crimes and were enlarged on bail, we do not see any ground whatsoever to continue the writ petition any further and the same is liable to be dismissed.

5. Accordingly, the writ petition is dismissed, at the stage of admission. However, there shall be no order as to costs.

JUSTICE D.S.R.VARMA

JUSTICE D. APPA RAO

26-03-2007.
Msr.

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